



# DRAFT

Berry's Creek Technical Advisory Group Meeting  
Minutes  
August 28 & 29, 1985

The seventh meeting of the TAG took place at the DEP offices in Trenton. The following people were in attendance: Hank Garie, Richard Dime, George Harvell, Paul Galluzzi, Fred Ziegler, Jim Orr. On August 29, Art Slesinger of Morton Thiokol joined the meeting.

The minutes of the July 31 meeting of TAG were not acted upon and remain to be approved at the next meeting of TAG. Several TAG members suggested that the format of the minutes be expanded to highlight work assignments, due dates, and things to do. Larry Schmidt agreed to initiate this new feature of the minutes commencing with the meeting of August 28 and 29.

The first item discussed on August 28 was the status of Task I. Hank Garie reported that he had met with Rich Dime and Joe Maher earlier that day to discuss deficiencies in the Task I submission. Hank summarized the general thoughts of DEP regarding Volume I. The DEP does not feel that the document sufficiently describes the nature of the problem, its format is disorganized, and there is a general need to tighten the report to "flow" better. Joe Maher recommended the format be changed to include the following:

1. an introduction with background information
2. summary of what the document contains
3. conclusions representing statement of facts on the nature of the problem
4. recommendations including the identification of data gaps and field investigations which will be necessary

Joe Maher ~~also~~ felt that <sup>the basic information in Task I was present and he also recommended that</sup> Volumes I and III should be combined. Hank Garie then added that the information is presently in the volume but it needs to be organized in a logical format, and if it is to be used as a working tool, it needs to be in an easy to use form.

George Harvell of Velsicol indicated that he and Chuck Hanson have also reviewed Volume I. They raised the same issues with respect to organization and a general conclusion that the document needs editing.



Jim Orr of ERM Southeast acknowledged that the comments were valid. However, he indicated that he organized the document following the scope of work within the Stipulation and Order. Fred Ziegler also responded for ERM by indicating that Task I was supposed to present the information on mercury contamination and not draw conclusions or value judgements in terms of the significance or lack of significance of the environmental problems associated with the level of contamination. Hank Garie followed up by stating that the representations in the document should not guide or influence a potential contractor responding to the RFP and that technical editing could resolve this problem. Joe Maher admonished ERM for what he thought was establishing trends with the data if, in fact, there is not a sufficient number of data points to make those type of judgements. Finally, Paul Galluzzi agreed with the organizational deficiencies and stated that the document needs a data summary.

The dicussion turned to the way in which the document could be improved. Fred Ziegler asked if the "nature of the problem" should it be limited to the physical nature as opposed to historical disputes? Joe Maher responded by indicating that both elements are necessary in the regional context (for example the land use planning authority of HMDC could be a contributing factor). Paul Galluzzi added that under the recommendation section, the role of the Corps of Engineers should be highlighted so as to include the 17 tasks which must be addressed in the EIS scope of work. On a separate note, both Larry Schmidt and Fred Ziegler agreed that the Corps should periodically reassess its EIS scope in light of our greater understanding of the issues.

At the end of the discussion, the group agreed to direct ERM to revise the Task I document and limit recommendations to data gaps and general guidance to the contractor. It was further agreed that no detailed recommendations would be made on how to sample for mercury (number of samples, location etc), analytical methodologies, or modeling.

ERM was asked to combine Volume I and III with the narrative sections combined in Volume I. A new document was requested from ERM which will be entitled "Appendices to Volume I - The Nature of the Problem". Existing Volume II will be kept in place with its recommendations, although those recommendations will also be referenced in Volume I.

Fred Ziegler of ERM agreed to make the revisions to the Task I documents. He proposed to revise the Table of Contents to more clearly reflect the issues that need to be conveyed to the reader by stressing the organizational format in the revisions.

The final discussion item on August 28 involved the maps produced for Task I Volumes. Rich Dime indicated that he had a problem in reading the data based on the size of the maps. He thought that a larger scale map would be preferable even if it had to be folded into the volume. The group then discussed the mapping issue in some detail. It was the consensus of TAG that for presentation purposes, the following revisions and additions be incorporated into Task I submittals:

1. USGS quad sheets (7 1/2 minute series) be placed in a pouch within the back cover of each document.
2. Maps should be produced that are 11 x 17 and folded in the text.
3. The color coding of the map data should remain as is.
4. Within the preface of Volume I, there should be a disclaimer that the mapped data is not precisely accurate and that the reader should rely on the UTM coordinates for sampling locations. The UTM coordinates data will be located in the appendices.

The meeting was recessed at 4:00PM to be recovered at 10:00AM the following morning.

The first discussion item for the Friday session was a report from Hank Garie of a meeting between Jorge Berkowitz and Tom Burke (Director of the Office of Science and Research) that occurred at 4:00PM on the previous day. The purpose of the meeting was to discuss the approach to the research component of the Berry's Creek project. Hank reported that as a result of the meeting there was a commitment to bring on board a full time research coordinator. The research coordinator was to be hired from the DEP's Term Contract for general engineering services. Art Slesinger questioned the need for the position, the person's qualifications, and the accountability of that person to the current project manager and the SAC. Larry Schmidt responded by indicating that he attended the Burke/Berkowitz meeting and it was his understanding that the research coordinator would be responsible for the integration of the research component between WES, Simpson and Good, and the prime contractor. It would be his responsibility to manage the contracts and deal with day to day issues. Art responded by indicating that if this person did not have authority to make decisions, he would be a "postman" between the researchers and TAG. Both Fred Ziegler and Joe Maher felt that the research coordinator should be the prime contractor because of his ultimate accountability to deliver acceptable work products. Without the responsibility assigned to the prime contractor, there would be a significant potential for disputes arising involving accountability and responsibility.

Hank Garie and Larry Schmidt continued to stress a short term need for a person to help formulate the research components. Hank noted that he simply does not have the time necessary to devote to the research element of Berry's Creek and still maintain his other responsibilities.

No decision was made by TAG members with respect to a recommendation to SAC on this issue. However, final observations on the discussion recognized that TAG could either plod along at the current rate with the Office of Science and Research being responsible for the research components or it could bring someone on board to work directly for Hank on evaluating and refining the research proposals. TAG agreed that the ultimate responsibility for coordination should rest with the prime contractor. Art Slesinger suggested that the decision should be deferred to SAC with a formal vote on the DEP's hiring of temporary support help for the Office of Science and Research.

The next several hours of the TAG meeting were devoted to a page by page critique of the three volume Draft Final Reports from Task I. Fred Ziegler and Jim Orr noted changes, additions, deletions in their copies of the report for the purpose of preparing extensive revisions. The bulk of the comments dealt with specific technical issues.

After breaking for lunch the TAG completed its technical critique of Task I work. Larry Schmidt asked the TAG members to provide him with guidance in responding to a memo of August 15 from Dr. Jorge Berkowitz directing TAG to complete certain work assigned within given time frames. In addressing Berkowitz's memo, TAG members discussed and concluded the following:

1. TAG recommended that the SAC meeting scheduled for September 4 be postponed to October 15.

2. TAG concluded that it was not in a position to prepare an integrated Research Study Report at this time. However, it was noted that several components of the research study plan had been initiated. For example, a letter had been sent to WES requesting full proposals and a letter was also sent to Simpson and Good requesting a meeting prior to a submission of a full proposal.

3. TAG discussed the status of Dr. Bartha and concluded that his role is uncertain at this time. Until TAG has reviewed the full proposal, it cannot give Dr. Berkowitz an evaluation of Dr. Bartha's role nor can it commence with negotiations on participation of Dr. Bartha. Hank Garie agreed to call Dr. Bartha and advise him of his current status.

4. TAG also noted that it had made significant progress with WES in formulating the proposals and it anticipates that WES will respond with proposals within two weeks. The directive of Dr. Berkowitz called for completion of the full proposals by September 4 and TAG could not review documents that had not been submitted as of that date.

5. As a result of the TAG meeting on August 28 and 29, ERM has been instructed to make extensive modifications in the report structure and format of Task I submission and also make minor modifications in the submission. ERM expects to submit final reports on or about September 24.

6. TAG noted that Dr. Berkowitz had recently sent a memo to Doug Clark of the DEP's Division of Water Resources soliciting a proposal for his group to conduct routine monitoring of Berry's Creek. TAG concluded that the routine monitoring plan would have to wait until the proposal was submitted. In addition Paul Galluzzi of HMDC indicated that he would submit a separate proposal to do monitoring. Joe Maher will investigate possible contract mechanisms for the monitoring and make recommendations at the next TAG meeting.

7. TAG will continue to discuss the routine monitoring program after the proposals have been submitted. Certain components of routine monitoring such as biota samples, groundwater, and pollutants other than mercury compounds need to be evaluated.

After the group completed its discussion of the Berkowitz directive memo, Larry Schmidt indicated that he would draft a response memo to Jorge Berkowitz for review by TAG members prior to the final sign-off. The meeting concluded by TAG members agreeing that a number of critical items need to be completed before the next TAG meeting and the subsequent meeting of SAC. All agreed that the next TAG meeting should be on October 3 at the HMDC and the SAC meeting would follow on October 15 at the DEP offices in Trenton.